

Department of Community Planning and Economic Development – Planning Division
Minor Subdivision Application
MS-208

Date: July 19, 2010

Applicant: Melissa Hohertz-Foat and Karen Grimm

Address of Property: 3837-3845 – 36th Avenue South

Project Name: Not applicable

Contact Person and Phone: Melissa Hohertz-Foat 612-724-0762

Planning Staff and Phone: Jim Voll 612-673-3887

Date Application Deemed Complete: June 23, 2010

End of 120-Day Decision Period: October 21, 2010

Ward: 12 **Neighborhood Organization:** Longfellow Community Council (Howe)

Existing Zoning: R1A Single-family District

Proposed Zoning: Not applicable for this application.

Zoning Plate Number: 33

Legal Description: See attached survey.

Proposed/Existing Use: The lot to be divided contains a single-family home that will be removed.

Concurrent Review:

Minor Subdivision: To allow the division of a platted lot between two adjacent platted lots.

Applicable Code Provisions: Chapter 598 Subdivisions.

Development Plan and Background: The property owners at 3837 – 36th Avenue South and 3845 – 36th Avenue South are requesting a minor subdivision to split the lot at 3841 – 36th Avenue South between them for side yards. When the home is demolished the split can be finalized. Please note that the removal of the house is a separate process from the minor subdivision. The approval or denial of a subdivision is not an approval or denial of the home demolition. No new construction is proposed at this time, but they applicants may pursue additions to their homes, as allowed by the zoning code, at some point in the future. As of the writing of this report staff has not received formal comments from

the neighborhood group, but will forward comments, if any, at the Planning Commission meeting.

Required Findings for a minor subdivision:

1. The subdivision is in conformance with the land subdivision regulations and the applicable regulations of the zoning ordinance and policies of the comprehensive plan.

Both parcels will be in conformance with the requirements of the subdivision ordinance and zoning code. The comprehensive plan designates this area as Urban Neighborhood, which area areas that are primarily low-density residential.

2. The subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor add substantially to congestion in the public streets.

The proposed subdivision will shift the common parcel line between two platted lots, by splitting the lot between the properties. No new development is proposed. This will not be out of character with the area and will not add congestion to the public streets.

3. All land intended for building sites can be used safely without endangering the residents or users of the subdivision and the surrounding area because of flooding, erosion, high water table, severe soil conditions, improper drainage, steep slopes, rock formations, utility easements, or other hazard.

No new development is proposed at this time, but the site does not have the above noted conditions.

4. The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.

No change to the grading is proposed and access is existing from the alley.

5. The subdivision makes adequate provision for storm or surface water runoff, and temporary and permanent erosion control in accordance with the rules, regulations and standards of the city engineer and the requirements of these land subdivision regulations. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.

Existing utility and drainage provisions are adequate for the area.

RECOMMENDATION:

CPED – Planning Division Report
MS-208

Recommendation of the Community Planning and Economic Development Department – Planning Division for the minor subdivision:

The Community Planning and Economic Development Department – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the minor subdivision application for property located at 3837-3845 – 36th Avenue South subject to the following condition:

- 1) The Community Planning and Economic Department will not release the resolution for recording until the structure at 3841 – 36th Avenue has been removed, subject to all applicable City regulations.

Attachments:

- 1) Letters from applicants
- 2) Zoning map.
- 3) Survey.
- 4) Photo.